

**Federal Defenders
OF NEW YORK, INC.**

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David Patton
*Executive Director and
Attorney-in-Chief*

October 15, 2020

VIA ECF/EMAIL

MEMO ENDORSED

Honorable Sidney H. Stein
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Jose Capriata, 12 Cr. 712 (SHS)

Dear Judge Stein:

On September 28, 2020, the Court ordered counsel for the petitioner, Jose Capriata, to file a memorandum of law on October 8, 2020 in connection with his placeholder habeas petition filed in 2016. With apologies, counsel missed the ECF notice of the order. The attorney at Federal Defenders who was initially assigned to Mr. Capriata's case in 2016 has since left the office.

I ask that the Court provide counsel with additional time to file a memorandum of law. I have spoken with A.U.S.A. Abigail Kurland who has no objection to the following schedule: **Petitioner's memorandum of law due November 20; Government's response due December 11; Petitioner's reply due December 21.**

Respectfully submitted,

David Patton

David E. Patton
Tel.: (212) 417-8738

cc: A.U.S.A. Abigail Kurland

Scheduled approved.

**Dated: New York, New York
October 15, 2020**

SO ORDERED
Sidney H. Stein
SIDNEY H. STEIN
U.S.D.J.